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MICHAEL CASTRONOVO

May 8, 2018

Hon. Carol B. Amon
United States District Judge
Eastern District of New York
United States Courthouse
Cadman Plaza
Brooklyn, NY

Dear Judge Amon,

I write to request the Court amend the protective order to permit Defendant, Scott Brettschneider, to listen to a copy of the eavesdrop audio tapes and review other protected discovery materials at his home in North Carolina. I request this, due to the hardship of traveling back and forth to Suffolk County, in light of his poor health, and the volume of discovery.

As you are probably aware, Mr. Brettschneider is a permanent resident of North Carolina who travels to New York a few weeks per month to handle his New York caseload. He has no permanent residence in New York. In addition, he is in poor health and easily exhausted due to his two heart attacks, cancer treatment and other health problems.

I propose the order be amended, to permit me to mail a copy of the discovery directly to his home where it will remain pending his review of the material.

No other party other than the defendant will be permitted to listen to the tapes and when he is done reviewing them, he will return them by mail to my office and I will destroy the second copy.

All of the other terms of the protective order will remain in place.

Mr. Brettschneider has spent 10 hours in my office already reviewing the tapes and it is now clear that without some accommodation, it will require an inordinate amount of time for him to review them all and take notes.

The government has no opposition to my application provided Mr. Brettschneider executes an Affidavit stating he will comply with the order.

Sincerely,

PERINI & HOERGER

RAYMOND G. PERINI

RGP/dd

F.#2015R01691

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
UNITED STATES OF AMERICA,

-against-

AFFIRMATION

Scott Brettschneider, et al.,

Defendant.

-----X

SCOTT BRETTSCHEIDER, an attorney duly admitted to practice in this state, affirms under penalty of perjury that,

I am the defendant in this case.

Through my attorney, I have moved to modify the protective order to permit me to review my discovery at my home in North Carolina, due to my health and the volume of the discovery.

I fully understand the terms and conditions upon which the government has agreed to permit me to do this, that being:

The material will be mailed to me directly to North Carolina and returned the same way.

I will not share it with anyone, it will be solely for my personal review to prepare my case in my home.

I will abide by all the conditions of the discovery protective order, including not copying or share the material or otherwise making it public.

WHEREFORE, I request the court grant my attorney's motion to amend the protective order.

Dated: Brooklyn, NY
May 11, 2018

SCOTT BRETTSCHEIDER

F.#2015R01691

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
UNITED STATES OF AMERICA,

-against-

AMENDED PROTECTIVE ORDER

Scott Brettschneider, et al.,

Defendant.

-----X

Upon the Motion of RAYMOND G. PERINI, attorney for SCOTT BRETTSCHEIDER, dated May 11, 2018, to amend the Order of the Court dated March 29, 2018, limiting and protecting the use of discovery materials in the above captioned case, the order is amended as follows

ORDERED, RAYMOND PERINI may mail a copy of the protected material directly to defendant BRETTSCHEIDER'S home in North Carolina for his exclusive use in reviewing the discovery material.

ORDERED, defendant BRETTSCHEIDER will not permit anyone but himself to review the material and he will not share it or copy it with anyone.

ORDERED, at the conclusion of his review of the material, he will return by mail or and deliver the copy of the material he was provided directly to his attorney Raymond G. Perini.

ORDERED, Mr. Perini will, upon receipt of the copy, retain it until further directed by the Court.

ORDERED, all other terms and conditions of the original order will remain in effect.

The Honorable Carol B. Amon
United States District Judge
Eastern District of New York